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PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on October 29, 2004.

Jeffrey D. Myers, Reg. No. 35,964

October 29, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BRAD BAKER

Serial No.: 09/607,313

Filed: June 28, 2000

For: PAINT SET CONFECTIONERY

Examiner: T. Tran Lien

Group Art Unit: 1761

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PRELIMINARY AMENDMENT

Mail Stop: RCE
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Decision on Appeal mailed August 31, 2004, please amend the above-identified application as follows:

Amendment to the Claim is reflected in the listing of claim which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

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AND INTERFERENCES